

REMARKS

Reconsideration and allowance of the application are respectfully requested. Claims 1-16 are pending in the application. Applicant respectfully submits that the pending claims define patentable subject matter.

I. Prior Art Rejections under 35 U.S.C. § 103

Claims 1-2, 8-10, and 16 currently stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Soundararajan (U.S. Patent Pub. No. 2003/0084448) in view of Applicant's Admitted Prior Art (AAPA). Claims 3 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Soundararajan in view of AAPA and Wugofski (U.S. Patent Pub. No. 2003/0056216). Claims 4, 5, 7, 12, 13, and 15 currently stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Soundararajan in view of AAPA and Yuen (U.S. Patent No. 5,488,409). Claims 6 and 14 currently stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Soundararajan in view of AAPA and Taylor (U.S. Patent Pub. No. 2005/0278648).

Independent Claim 1

The Examiner asserts that Soundararajan discloses all the features of Claim 1 except for storing an entire channel list comprising channels receivable using a tuner. Although the Examiner correctly notes that Soundararajan does not disclose storing an entire channel list comprising channels receivable using a tuner, the Examiner asserts that AAPA teaches this feature and that it would have been obvious to modify the invention of Soundararajan with the teachings of AAPA because it would avoid scrolling through channels that a tuner cannot receive

without channel-surfing. (Office Action, pages 2-3). Applicant has amended claim 1 to overcome the rejection.

Applicant has amended claim 1 to incorporate some of the subject matter of claim 4. Applicant has also amended claims 4, 6, and 7 to remain consistent with claim 1. Claim 1, as amended, recites *inter alia*, “the control unit provides the content of the selected channel through the output unit if the calculated preference degree for the selected channel satisfies a predetermined reference, and the control unit provides the content of the selected channel through the output unit if the calculated degree for the selected channel does not satisfy the predetermined reference and a predetermined pattern of channel change inputs is received by the user input unit”. Soundararajan and AAPA both fail to teach this feature of amended claim 1. Soundararajan instead teaches that channels are chosen for inclusion in a channel selection control list according to the weight values and the channel selection control list is used to control which channels are output in response to a channel change command. Nowhere does Soundararajan disclose providing content of a selected channel if a predetermined pattern of channel change inputs is received by the user input unit. AAPA also fails to teach this feature, since AAPA states that a user must manually input a channel that is not included in the receivable channel list to view it, rather than accessing it through a predetermined pattern of channel change inputs.

Accordingly, Applicant submits that Soundararajan and AAPA do not teach or suggest every feature of claim 1.

The Examiner asserts that the features of claim 4 would have been rendered obvious in view of Soundararajan in view of AAPA and Yuen. In particular, the Examiner asserts that

Yuen discloses entering sequences of conventional keys to initiate functions, rather than providing special function keys, and that it would be obvious to modify Soundararajan and AAPA to allow entering a key sequence or pattern of key entries to initiate a function such as switching between a favorite channel list and a receivable channel list. (Office Action, page 5).

Yuen generally discloses that “[i]nstead of providing special function keys, functions can also be initiated by entering predefined sequences of conventional keys on the alphanumeric keyboard.” (Yuen, col. 6, lines 46-50). However, nowhere does Yuen teach or suggest providing the content of a selected channel “if the calculated degree for the selected channel does not satisfy the predetermined reference and a predetermined pattern of channel change inputs is received by the user input unit.” Nor would Yuen’s mere disclosure that functions can be initiated by entering predefined sequences provide the requisite motivation to one skilled in the art to modify Soundararajan to provide the content of the selected channel “if the calculated degree for the selected channel does not satisfy the predetermined reference and a predetermined pattern of channel change inputs is received by the user input unit.”

Accordingly, claim 1 would not have been rendered obvious in view of the cited references, alone or in combination, because the cited references do not teach or suggest all of the features of the claimed invention, and one of ordinary skill in the art would not have been motivated to combine and modify the cited references to produce the claimed invention. As such, Applicant submits that claim 1 is patentable over the cited references.

Independent Claim 9

Independent claim 9 is directed a method corresponding to the apparatus of claim 1. Applicant has amended claim 9 in a manner similar to claim 1 and submits that claim 9 is

allowable for reasons similar to those discussed with regard to claim 1. Applicant has also amended claims 12, 14, and 15 to be consistent with the changes to claim 9.

Dependent Claims 2-8 and 10-16

Wugofski, Taylor and Yuen do not cure the deficiencies of the other references noted above. Accordingly, Applicant submits that dependent claims 2-8 and 10-16 are allowable at least based on their dependency on claims 1 or 9.

II. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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